



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: A8032

Ting WANG, et al.

Appln. No.: 09/853,575

Group Art Unit: 2874

Confirmation No.: 7192  
CUSHWA

Examiner: Michelle R. CONNELLY

Filed: May 14, 2001

For: OPTICAL LUMINESCENT DISPLAY DEVICE

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

Stan Torgovitsky  
Registration No. 43,958

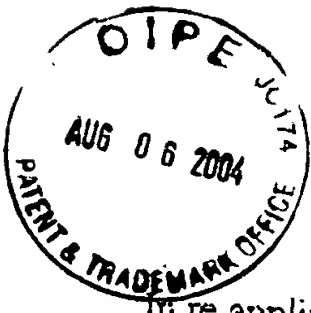
SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 6, 2004



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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, NEC CORPORATION, represents that the petitioner, NEC CORPORATION is the owner of the entire right, title and interest of U.S. Application No. 09/246,145, filed on February 8, 1999 for OPTICAL LUMINESCENT DISPLAY DEVICE by virtue of an Assignment from NEC USA, INC. executed on March 25, 2002, recorded on April 3, 2002 at Reel 012745, Frame 0760, and an Assignment from NEC RESEARCH INSTITUTE, INC. executed on August 19, 2002, recorded on August 27, 2002 at Reel 013221, Frame 0088, now issued as U.S. Patent 6,307,987 as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/853,575 by virtue of an Assignment from NEC USA, INC. executed on April 11, 2003, recorded on April 11, 2003, at Reel 013926, Frame 0288, and an Assignment from NEC LABORATORIES AMERICA INC., executed on May 11, 2004 and submitted to USPTO for Recordation on May 24, 2004 (a copy of the May 11,

08/09/2004 EABUBAK1 00000013 09853575

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Terminal Disclaimer

U.S. Patent Application Ser. No.: 09/853,575

2004 Assignment, with copies of PTO Form 1595 and PTO date-stamped filing receipt, is enclosed herewith).

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/853,575 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,307,987, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/853,575 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,307,987 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/853,575, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/853,575 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/853,575 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,307,987 in the event that U.S. Patent 6,307,987 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer

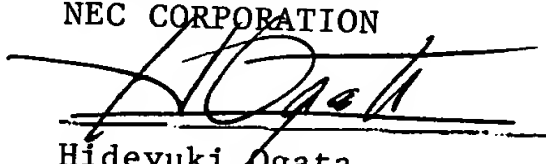
U.S. Patent Application Ser. No.: 09/853,575

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

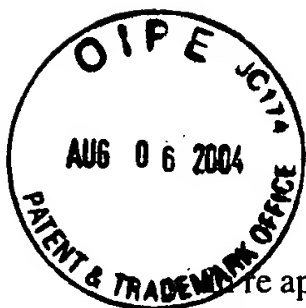
I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: July 27, 2004

Respectfully submitted,  
NEC CORPORATION

  
Hideyuki Ogata

General Manager  
Intellectual Property Licensing Division  
Title: Intellectual Asset Operations Unit



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Re application of

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Appln. No.: 09/853,575

Group Art Unit: 2874

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Examiner: Michelle R. CONNELLY CUSHWA

Filed: May 14, 2001

For: OPTICAL LUMINESCENT DISPLAY DEVICE

PAPER(S) FILED ENTITLED:

1. Copy of an executed Assignment with PTO Form 1595 and Check  
No. 247628 in the amount of \$40.00

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

DOCKET NO.: A8032  
ATTORNEY/SEC: HLB/mrp  
Date Filed: May 24, 2004



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CUSTOMER NUMBER

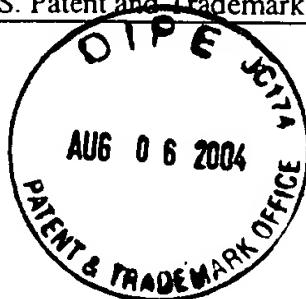
MODIFIED Form PTO-1595  
(Rev. 10/02)

# RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Director of the U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

NEC Laboratories America, Inc.  
formerly NEC Research Institute

2. Name and address of receiving party(ies):

NEC Corporation  
7-1, Shiba 5-chome, Minato-ku,  
Tokyo, JapanAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: May 11, 2004

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)  
09/853,575

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

SUGHRUE MION, PLLC

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41): \$40.00

- ☒ Enclosed.  
☐ Authorized to be charged to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

8. Deposit Account Number:

19-4880

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Howard L. Bernstein

Reg. No. 25,665

May 24, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 2

Mail documents to be recorded with required cover sheet information to:

MAIL STOP ASSIGNMENT RECORDATION SERVICES

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

# PATENT ASSIGNMENT

WHEREAS, NEC Laboratories America, Inc., formerly known as NEC Research Institute, Inc., a New York corporation, having a place of business at 4 Independence Way, Princeton, New Jersey 08540 is an owner and assignee of record of the patent application listed below;

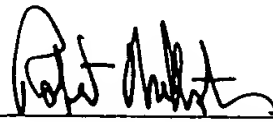
WHEREAS, NEC Corporation, a Japanese corporation, having its principal place of business at 7-1, Shiba 5-chome, Minatu-ku, Tokyo, Japan is desirous of obtaining a title to such patent application;

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, NEC Laboratories America, Inc., hereby sells, assigns and transfers to NEC Corporation, its successors and assigns, its entire right, title and interest in the following patent application in the United States and in all other countries:


<u>Filed</u>	<u>Title</u>	<u>Inventor(s)</u>	<u>Serial No.</u>
May 14, 2001	Optical Luminescent Display Device	Ting Wang Allan Schweitzer Maximilian Ott	09/853,575

IN WITNESS WHEREOF, NEC Laboratories America, Inc. has executed this Assignment by proper persons duly authorized.

NEC Laboratories America, Inc.

  
Name: Robert Millstein  
Title: President and CEO  
Date: May 11, 2004

On the 11<sup>th</sup> day of May, 2004, before me, personally appeared Robert Millstein who acknowledged himself to be the President and CEO of NEC Laboratories America, Inc., formerly known as NEC Research Institute, Inc., a New York corporation, and that, as such being duly authorized to do so, executed the foregoing instrument and acknowledged the same to be his free act and deed and the free act and deed of said corporation.

  
Notary Public  
JILL M. THOMPSON  
Notary Public of New Jersey  
My Commission Expires ~~12/31/2005~~ 9/12/2007